



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spytek, et al.

EXAMINER: David J. Steadman

SERIAL NUMBER: 10/023,634

ART UNIT: 1652

FILING: DATE: December 17, 2001

FOR: PROTEINS, POLYNUCLEOTIDES ENCODING THEM AND METHODS OF  
USING THE SAME

**Mail Stop IDS**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Transmitted herewith for filing in the present application are the following documents:

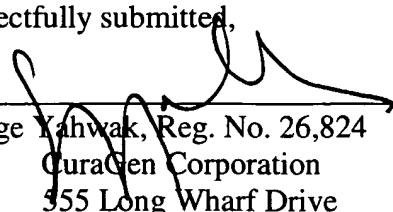
1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 page) in duplicate;
3. No copies of Cited references and A1 and A40
4. Return Postcard

The Commissioner is authorized to charge fees due under 37 C.F.R § 1.97 (c)(2) and set forth § 1.17 (p) in to Deposit Account No.502648, Reference No. Cura 521 (21402-221). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 203/974-6303, New Haven, Connecticut.

Respectfully submitted,

Date: October 29, 2004

  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98 and specifically 37 C.F.R. § 1.97 (c) (2) Applicants hereby make of record the documents attached modified Form PTO-1449.

This Supplemental Information Disclosure Statement is being filed at the Examiners request in connection with the Office Action dated April 29, 2004 in the above referenced application. The Commissioner is hereby authorized to charge the fee due under 37 C.F.R. § 1.97 (c) (2) and set forth in § 1.17 (p) to deposit Account No. 502648 Ref. No. Cura 521.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

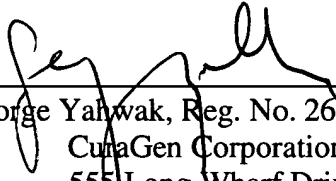


By Submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, or that more relevant information does not exist; and (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

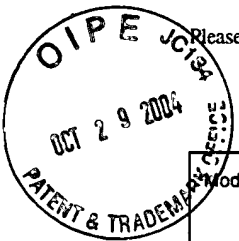
The order of presentation of the references should not be constructed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Respectfully submitted,

Date: October 29, 2004

  
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Date of Deposit: 10/29/2004



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PTO/SB (12-97)

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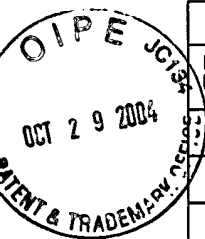
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|--|------------------------|----------------------|
| <b>SUPPLEMENTAL INFORMATION<br/>DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | Application Number     | 10/023,634           |
|  | Filing Date            | 12/17/01             |
|  | First Named Inventor   | Ballinger, et al.    |
|  | Group Art Unit         | 1652                 |
|  | Examiner Name          | David J. Steadman    |
|  | Attorney Docket Number | 21402-221 (Cura 521) |

| U.S. PATENT DOCUMENTS |          |                          |            |                                     |       |           |                            |
|-----------------------|----------|--------------------------|------------|-------------------------------------|-------|-----------|----------------------------|
| Exam Initials         | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
|                       | A1       | 20030027265              | N/A        | Baker, et al.                       | 435   | 69.1      | 06/18/2002                 |
|                       | A2       | 20030027267              | N/A        | Baker, et al.                       | 435   | 69.1      | 06/19/2002                 |
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Date of Deposit: 10/28/2004



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|-----------------------|----------|--------------------------|------------|-------------------------------------|-------|-----------|----------------------------|
| Exam Initials         | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
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| FOREIGN PATENT DOCUMENTS |          |                                       |                                     |                     |                    |
|--------------------------|----------|---------------------------------------|-------------------------------------|---------------------|--------------------|
| Exam Initials            | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes No |
|                          | B1       |                                       |                                     |                     |                    |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS |          |  |
|---|----------|--|
| Exam Initials                                     | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. |

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.